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7 UNITED STATES BANKRUPTCY COURT
8 NORTHERN DISTRICT OF CALIFORNIA
9 OAKLAND DIVISION

10 In re: Tony Fu,

11 Debtor.

Bankruptcy Case No.: 17-41205 CN

Chapter 7 Trustee: Marlene G. Weinstein

12 Thai Ming Chiu, Demas Yan, Legal
13 Recovery, LLC,

14 Plaintiffs,

15 v.

16 Tony Fu,

17 Defendant.

AP # 17-04056

STATUS CONFERENCE STATEMENT

Date: October 16, 2017

Time: 10 am

Judge: Charles Novak

Ctrm: 215

Place: 1300 Clay Street, Oakland, Ca. 94612

18 Plaintiffs Thai Ming Chiu, Demas Yan, and Legal Recovery, LLC, through their attorney of
19 record Mark Lapham, as and for its Status Conference Statement, state as follows:

- 20 1. Debtor, Tony Fu, an individual, filed Chapter 7 petition on 5/5/17.
- 21 2. Plaintiffs filed this adversary proceeding objecting to discharge and for determination of
22 dischargeability of debts on 8/2/17. Debtor filed answer on 9/15/17.
- 23 3. Plaintiffs objects to the discharge of debtor on the following grounds: pursuant to 11
24 U.S.C. § 727(a)(2)(A) and (B) on the grounds that Fu, with intent to hinder, delay, or
25 defraud a creditor or an officer of the estate charged with custody of property under this
26 title, has transferred, removed, destroyed, mutilated, or concealed, or has permitted to be
27 transferred, removed, destroyed, mutilated, or concealed property of the debtor; pursuant
28 to 11 U.S.C. §727(a)(3) on the grounds that debtor has failed to keep or preserve books,

1 records, documents, and papers from which his financial condition or business
2 transactions might be ascertained; pursuant to 11 U.S.C. §727(a)(4) on the grounds that
3 defendant knowingly and fraudulently made a false oath in this case in the petition and
4 papers that he filed herein and at his 341 meeting of creditors; objects to the discharge of
5 the debts evidenced by the judgments entered in San Francisco Superior Court case no.
6 CGC-00-311712 [Fu v. Fung] and Case no. CGC-04-428983 [Sierra Point Lumber v. Fu]
7 pursuant to 11 U.S.C. § 523(a)(2)(A) and (a)(4) on the grounds that these
8 debts arise out of debtor's false pretenses, false representation, fraud and defalcation
9 while acting in a fiduciary capacity, embezzlement, or larceny; and finally, objects to the
10 discharge of debt arising from Assault and Battery pursuant to 11 U.S.C. § 523(a)(6).

- 11 4. On 9/19/17, I sent a meet and confer email to debtor regarding Initial Disclosures and
12 Discovery Conference order issued by the Court on 8/3/2017, proposing to exchange
13 initial disclosures by September 25, 2017. On September 25, 2017, I sent plaintiffs'
14 initial disclosures to debtor. As of today, debtor has not responded to meet and confer
15 and have not produced his initial disclosures.
- 16 5. On 9/27/17, plaintiffs propounded to debtor plaintiff's set one of demand for production
17 of document and request for admissions. Debtor's responses thereto are due on 10/27/17.

18
19 Respectfully Submitted,
20 October 10, 2017
21 /s/Mark Lapham
22 Attorney for plaintiffs
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1 CERTIFICATE OF SERVICE

2 On this date, I served the following document(s):

3 STATUS CONFERENCE STATEMENT

4
5 By electronic mail:

6
7 By email notice/service for this case:

8 Tony Fu, tonydxfu@gmail.com

9 I declare under penalty of perjury that the foregoing is true and correct.

10
11 Dated: 10/10/2017

12 By: /s/MARK LAPHAM

13 Attorney for Plaintiffs